

not to indicate to the ordinary purchaser which of the ingredients were active.

On July 17, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1329. Misbranding of Formula No. 4 and Formula No. 13. U. S. v. 94 Packages of Formula No. 4 and 52 Packages of Formula No. 13. Default decree of condemnation and destruction. (F. D. C. No. 11447. Sample Nos. 53826-F, 53828-F.)**

On December 22, 1943, the United States attorney for the District of Arizona filed a libel against 94 packages of Formula No. 4 and 52 packages of Formula No. 13 at Tucson, Ariz., alleging that the articles had been shipped on or about November 9, 1943, by the Dietary Research Laboratories, Los Angeles, Calif.; and charging that they were misbranded. The articles were labeled in part: "Supplemental Concentrates Formula No. 4 20 Vegetable Concentrates Combined with Raw Liver, Heart Muscle and Stomach Lining Vitamins A, B, D, E and G Present in their Natural Form," and "Formula No. 13 Garlic—Parsley."

Examination of the Formula No. 4 disclosed that it consisted essentially of alfalfa and wheat with small amounts of other vegetable material and possibly animal tissue. It was alleged to be misbranded in that the statements in the labeling, "The materials for this tablet were selected for their properties of blood regeneration. A healthy blood stream is the first basic requirement of health," were false and misleading since the article would not be effective in regenerating blood or in producing a healthy blood stream.

Examination of the Formula No. 13 disclosed that it consisted essentially of garlic and parsley. It was alleged to be misbranded in that the statements in the labeling, "A Dietary Supplement in the presence of High Blood Pressure," and "A dietary supplement processed and formulated to provide an effective adjuvant to the regular or prescribed diet," were false and misleading since the article would not be effective in relieving high blood pressure, and was not an adjuvant to the diet.

The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On February 7, 1944, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**1330. Misbranding of wheat germ. U. S. v. 88 Packages of Wheat Germ. Default decree of condemnation and destruction. (F. D. C. No. 12680. Sample No. 75714-F.)**

On June 17, 1944, the United States attorney for the Northern District of Ohio filed a libel against 88 1-pound packages of wheat germ at Warren, Ohio, alleging that the article had been shipped on or about April 14, 1944, by the Triple Health Food Co., Rochester, N. Y. The article was labeled in part: "Triple Health (Superior) Wheat Germ \* \* \* A Natural Medicinal Food."

Examination showed that the article was essentially wheat germ. It was alleged to be misbranded in that the label statements, "Triple Health A Vitality-Filled Body A Cheerful Mind \* \* \* A Peaceful Spirit The Triple Health System \* \* \* A Natural Medicinal Food \* \* \* Twice as rich in protein as meat. Contains vitamins A, \* \* \* E and G. Rich in organic minerals. Recommended as a physical builder. Nerve and mental tonic. Digestive and eliminative aid. Beneficial in skin conditions, etc. \* \* \* Triple Health Food," were false and misleading since the article was not a medicinal food, would not effect the results suggested and implied, would provide nutritionally inconsequential amounts of vitamins A, E, and G, was not rich in organic minerals, and was not twice as rich in protein as meat.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On August 7, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1331. Misbranding of Harris' 121 Remedy. U. S. v. 26 Bottles and 10 Bottles of Harris' 121 Remedy. Default decree of condemnation and destruction. (F. D. C. No. 12477. Sample No. 28865-F.)**

On or about June 12, 1944, the United States attorney for the Southern District of Florida filed a libel against 26 small size bottles and 10 large size bottles of the above-named product at Orlando, Fla., alleging that the article had been shipped by the Harris Medicine Co., from Dawson, Ga., on or about

April 7, 1944. The article was labeled in part: "Harris' 121 Remedy Alterative and Stomachic Tonic."

Examination of a sample disclosed that the article consisted essentially of a solution in water of potassium iodide, 11.4 grains per fluid ounce, arsenic trioxide, 0.007 grain per fluid ounce, mercuric chloride, 0.045 grain per fluid ounce, and a bitter drug such as gentian extract.

The article was alleged to be misbranded because of false and misleading statements, appearing in an accompanying circular entitled "Get the Poison Out of Your System . . . Take Harris' 121 Remedy," regarding the efficacy of the article in eliminating poison from the system, building up the system, restoring strength, health, and the health functions of the body, fortifying the system against many diseases, and treating rheumatism, flu aftermath, thick blood, pimples, boils, muscular aches and pains, swollen glands, and rheumatic pains.

On August 17, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1332. Misbranding of Fero-B-Plex, Minerals Plus, sarsaparilla root U.S.P. with sassafras bark, Cetabs, fenugreek tea, and BoLax Laxatives Tablets. U. S. v. 141 Packages of Fero-B-Plex, 4 Packages of Minerals Plus, 9 Packages of Sarsaparilla Root U.S.P. with Sassafras Bark, 8 Packages of Cetabs, 11 Packages of Fenugreek Tea, 46 Packages of BoLax Laxative Tablets, and a number of booklets. Default decree of condemnation and destruction. (F. D. C. No. 12078. Sample Nos. 70727-F, 70728-F, 70767-F to 70771-F, incl.)**

On April 3, 1944, the United States attorney for the Western District of Washington filed a libel against the above-mentioned products at Seattle, Wash., alleging that they had been shipped between the approximate dates of July 15, 1942, and January 20, 1944, by LeLord Kordel and LeLord Kordel Products from Chicago, Ill.; and charging that they were misbranded.

Analysis disclosed that the Fero-B-Plex contained iron, calcium, phosphorus, vitamin B<sub>1</sub>, vitamin B<sub>2</sub>, and niacin; that the Minerals Plus contained calcium, phosphorus, iron, iodine, and vitamin D; that the sarsaparilla root U.S.P. with sassafras bark consisted essentially of sarsaparilla root and a small proportion of sassafras bark; that the Cetabs contained 31 milligrams of ascorbic acid per tablet; that the fenugreek tea consisted essentially of fenugreek seeds; and that the BoLax Laxative Tablets consisted essentially of powdered plant material including laxative plant drugs such as senna and buckthorn.

The articles were alleged to be misbranded in that the statements in an accompanying booklet entitled, "What You Can Do About Relieving the Agonies of Arthritis," which represented and implied that the articles were of value in the treatment of arthritis were false and misleading since they were not of value in the treatment of arthritis whether taken alone, in combination, or in conjunction with certain diets recommended in the labeling.

The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On September 30, 1944, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

**1333. Misbranding of Hale's Honey of Horehound and Tar, and Glenn's Sulphur Soap. U. S. v. 22 Packages and 52 Packages of Hale's Honey of Horehound and Tar, and 190 Boxes of Glenn's Sulphur Soap. Default decree of condemnation and destruction. (F. D. C. No. 12114. Sample Nos. 66238-F, 66239-F, 77214-F.)**

On April 13, 1944, the United States attorney for the Southern District of New York filed a libel against 22 packages, containing 2 fluid ounces each, and 52 packages, containing 4 fluid ounces each, of Hale's Honey of Horehound and Tar, and 190 boxes, each containing 3 cakes, of Glenn's Sulphur Soap at New York, N. Y., alleging that they had been shipped on or about February 8 and 23, 1944, by the Century National Chemical Co., from Paterson, N. J.; and charging that they were misbranded.

Examination of the Hale's Honey of Horehound and Tar showed that it contained tar, chloroform, and syrup.

The article was alleged to be misbranded because of false and misleading statements in the labeling which represented and suggested that the article was effective for coughs, colds, hoarseness, whooping cough, sore throat, loss of voice, or inflamed or irritable conditions of the respiratory mucous membranes.